

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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	:	
CHARLES J. EDWARDS,	:	
	:	CV-03-6123 (ADS-JO)
Plaintiff,	:	
	:	NOTICE OF MOTION
-against-	:	<u>TO STRIKE</u>
	:	
BROOKHAVEN SCIENCE ASSOCIATES, LLC,	:	<u>Document Electronically Filed</u>
	:	
Defendant.	:	
	:	
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PLEASE TAKE NOTICE THAT, upon Defendant's Memorandum of Law In Support of Its Motion To Strike Plaintiff's Demand For Compensatory Damages And A Jury Trial; the Amended Verified Complaint; and upon all papers and proceedings herein, defendant Brookhaven Science Associates, LLC ("BSA") will move the Court at 10:00 a.m. on _____, 2005, or as soon thereafter as counsel may be heard, at the United States Courthouse, 100 Federal Plaza, Central Islip, New York, for an order (1) striking plaintiff's request for compensatory damages and jury demand; (2) awarding to BSA its costs and disbursements, including attorneys' fees, in connection with this motion; and

(3) granting to BSA such other and further relief as the Court may deem just and proper.

Dated: Newark, New Jersey
July 15, 2005

Respectfully submitted,

PROSKAUER ROSE LLP

By s/ Edward Cerasia II
Edward Cerasia II (EC-8297)
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Attorneys for Defendant
Brookhaven Science Associates, LLC

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2005, I caused to be served a true and correct copy of Defendant's Notice of Motion For Its Motion To Strike Plaintiff's Demand For Compensatory Damages And A Jury Trial, by ECF and U.S. first-class mail, postage prepaid, on the following counsel of record for plaintiff:

Michael J. Regan, Esq.
200 Railroad Avenue
Sayville, New York 11792

s/Christie Del Rey-Cone
Christie Del Rey-Cone